

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**CRIMINAL CASE NUMBER: 2:09-cr-00251-1**

**MICHAEL M. OCHENG,**

**Defendant.**

**DEFENDANT, MICHAEL M. OCHENG'S MOTION FOR  
A CONTINUANCE OF PRE TRIAL MOTIONS HEARING**

Now comes the Defendant, Michael M. Ochenge, by counsel, Troy N. Giatras and The Giatras Law Firm, PLLC and moves this Court for a continuance of the Pre Trial Motions Hearing, and states as follows:

1. A Pre Trial Motions Hearing in this matter is currently scheduled on Friday, May 7, 2010 at 9:30 a.m.
2. Undersigned counsel as well as the Government's counsel, Assistant United States Attorney, Susan M. Robinson, has a scheduling conflict regarding the date and time of the Pre Trial Motions Hearing.
3. Undersigned counsel requests a brief continuance until Tuesday, May 11, 2010 or Wednesday, May 12, 2010 for the resetting of the Pre Trial Motions Hearing.
4. This additional time would be helpful since there have been recent plea agreements with Co-Defendants, and the effects of these pleas need to be

discussed with the remaining defendants, who are currently being detained at the Washington County Regional Jail in Marietta, Ohio.

5. This additional time will allow all remaining defense counsel the opportunity to evaluate the current legal landscapes of the Co-Defendants; review the supplemental discovery that was provided this week by the Government; and, allow for travel to the Washington County Regional Jail in Marietta, Ohio to meet with the clients.

6. Further, it will allow undersigned counsel to fulfill a previously set obligation in a case outside the State of West Virginia.

7. Counsel for the Co-Defendants has agreed to a brief continuance of the Pre Trial Motions Hearing.

8. Counsel for the Government does not object to this Motion.

WHEREFORE, Defendant, Michael M. Ochenge, moves this Court to continue the Pre Trial Motions Hearing on May 7, 2010 to either Tuesday, May 11, 2010 or Wednesday, May 12, 2010.

MICHAEL M. OCHENGE,

By Counsel

/s/ Troy N. Giatras  
Troy N. Giatras, Esquire  
*The Giatras Law Firm, PLLC*  
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Charleston, West Virginia 25301  
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MICHAEL M. OCHENGE,

Defendant.

**CERTIFICATE OF SERVICE**

I, Troy N. Giatras, Esquire, counsel for Defendant, Michael M. Ochenge, do hereby certify that on April 28, 2010, I electronically filed the foregoing "***Defendant. Michael M. Ochenge's Motion for a Continuance of Pre Trial Motions Hearing***" with the Clerk of the Court using CM/ECF system which will send notification of such filing to the following CM/ECF participants:

Susan Robinson  
Assistant United States Attorney  
P.O. Box 1713  
Charleston, WV 25326-1713

I hereby certify that I mailed the document by United States Postal Service to the following non-CM/ECF participants:

Michael M. Ochenge  
c/o Washington Co. Regional Jail  
101 Westview Avenue  
Marietta, OH 45750

/s/ Troy N. Giatras  
Troy N. Giatras (WV SB ID No. 5602)  
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